THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25875 of 2006

Dated:20.12.2006

BETWEEN:

Chappa Madhusudhanam.

… Petitioner

and

The Sub-Registrar, Bheemunipatnam, Visakhapatnam District.

… Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25875 of 2006

ORDER:

The petitioner herein purchased land admeasuring Acs.4.56 cents in Survey No.76/5 situated at Gudivolu Village of Anandapuram Mandal in Visakhapatnam District, from Kumari H.I.Vellis an Ex-service person. The sale deed was submitted to the respondent, who kept the same pending as Document P.No.519/2005 on 09.12.2005 without disclosing any reasons or accepting the document for registration. Therefore, the present Writ Petition is filed.

Heard the learned Counsel for the petitioners and the learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 to 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004, dated 01.09.2004.

Following the above, this Writ Petition is disposed of directing the respondent or any other Registering Officer to accept the document presented by the petitioner and consider for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. Even thereafter, if the petitioner has any grievance, he may file appeal before the Appellate Authority under Section 72 of the

Act. Thereafter, if any adverse order is passed by the Appellate Authority, the petitioner can file a suit under Section 77 of the Act. No costs.

_____

(V.V.S.RAO, J)

20.12.2006

Note: Issue C.C by 26.12.2006.

B/o.

vs